

RESPONSE TO COMMENT SET 1

- 1-1** Comment 1-1 is addressed in Section 4.2.4 Air Quality, Impact Analysis and Mitigation on page 4.2-10 of the Draft EIR.
- 1-2** Comment 1-2 is addressed in Section 4.0 Environmental Analysis on page 4.0-2 of the Draft EIR.
- 1-3** Comment 1-3 is addressed in Section 4.3.1 Biological Resources, Environmental Setting on page 4.3-1 of the Draft EIR.
- 1-4** Comment 1-4 is addressed in Section 4.6.1 Geology and Soils, Environmental Setting Regional and Site Onshore Geology on page 4.6-1
- 1-5** Comment 1-5 is addressed in Section 4.8.4 Land Use and Recreation, Impact Analysis and Mitigation on page 4.8-7 of the Draft EIR.
- 1-6** Comment 1-6 is addressed in Section 4.3.3 Biological Resources Impact Analysis and Mitigation on page 4.3-93 of the Draft EIR.
- 1-7** Comment 1-7 is addressed in Section 4.8.2 Land Use and Recreation, Regulatory Setting on page 4.8-2 of the Draft EIR.
- 1-8** Comment 1-8 is addressed in Section 4.4.4 Commercial and Recreational Fishing, Impact Analysis and Mitigation on page 4.4-6 of the Draft EIR.
- 1-9** Comment 1-9 is addressed in Section 4.8.2 Land Use and Recreation, Regulatory Setting on page 4.8-1 of the Draft EIR.

Scott McFarlin - Fwd: flaws in last cable agreement / appearance verses reality

From: brian stacy
To:
Date: 12/06/2007 6:54 AM
Subject: Fwd: flaws in last cable agreement / appearance verses reality
Attachments:

Morning Mr. McFarlin,

I was told this was already in the system but thought I would provide it with these comments. Please write some protections for the individual fisherman into the new EIR. The way the last one went the protections provided were all based around "fishermens associations" setting up a selective mitigation situation for hand picked fishermen. I understand there needs to be a mechanism for distribution of fisheries improvment funds, Although there needs to be some monitoring of there information distribution since they have failed miserably in the past! Also they should not use lies to fund projects, They put out a story that the ice dock was going out of buisness and they needed to fund a new ice house to save the harbor! well I made one call to find out it was not true and they built it anyway maintaining there story even as the other ice dock was complaining they would put it out of buisness. they should not be useing that money to displace existing buisnesses!

When it comes to determineing who has been displaced and how much this needs to be spelled out more clearly. The past practice of allowing the cable companies to pay fishermen to determine who has been displaced is not appropriate. Further I reiderate there should be no mitigation plan that requires forced review of personnel financial info by my competition! There are fishermen on that committee that just got into salmon fishing, know nothing about how to catch salmon. I do not run down the dock waiveing my fish tickets saying look what I caught as that would attract a crowd next time I fished. in essence costing me fish.

Since the state has already forced me to show them landings info perhaps they could make last projects quallification landing the one for this project so as to eliminate further forced review? And fraudulent activity by the mbcfo and psifa. This is probably the only fair way to compensate as only landings before they turned on the cables are a true indicator of what was available to catch in the past at that spot. Please spell out the lost catch compensation process better. If they are going to try to use the last one, have it go through the state somehow, and have them provide all effected fishers with an attorney, not just some.

Has anyone studied the effects of electrically acctuated cables on salmon? It sure seems like they used to come into estero bay and hang out a little before they turned on the cables. Are there startle response tests to indicate the effects of cable installation on fish? they (the committee) and the EIR say they are only effecting a smalll area with their installation but when you are trying to get a fish to bite a hook excess noise could well effect your fishing. Along with vibration and muddy water, sanded reefs does not help either.

I will look forward to my chance to review the EIR I hope you will make some changes to address some of these issues so that there will be some sense of fairness in the future that has not been present with the past projects, and a monitoring plan that does not leave fishermen trying to pry information out of a discriminatory committee.

Thank you for this oppertunity to comment, I would be happy to answer any questions you or others in the process may have.

Sincerely, Brian Stacy

RESPONSE TO COMMENT SET 2

- 2-1** Comment 2-1 is addressed in Section 4.4.4 Commercial and Recreational Fishing, Impact Analysis and Mitigation on page 4.4-9 of the Draft EIR.

(12/03/2007) Scott McFarlin - at&t project

Page 1

From: brian stacy
To: <mcfarls@slc.ca.gov>
Date: 11/28/2007 2:29 AM
Subject: at&t project

Dear Mr. mcfarland,

I am a commercial fisherman, I own a fishing boat and a couple of permits that are supposed to allow me to fish when the f&g opens a season. along with some open access fisheries. I have been in touch with your office several times in connection with the last projects and do not wish for a repeat! first I would say you should know that the "committee" did not notice today's meeting to people on their mailing list as required and suggested in their organizational docs.

The "committee" chair Tom Roff once started a fight with me for asking a question about the cable. The president of the morro bay commercial fishermen's org. did as well. Then the police came to my house and told me "you better be careful" or they "MBCFO" will frame you (start a fight and get me with an assault charge) because there is a bunch of them and just one of me! then they blackballed me from the fishermen's good old boys club (AKA MBCFO). You can not just join their club, you have to get voted in, and they lobby against those they do not want in their club. I was a member but they failed to mail renewal notices to some members around the time of the last cable.

They stole all the mitigation work and harpooned legitimate fishermen's lost catch claims for payolla (read the agreement) \$500.00 a day to help sabotage other fishermen! While not enforcing the parts that would offset impacts like timing of projects, and lost catch compensation, and equitable split of mitigation work! Although all the directors of the mbcfo had their claims paid in full without a bunch of BS from at&t. as well as others they hand picked to not be over scrutinized. They (the committee) do not provide any info through mailers or on their web sight that is usefull.

I will not put it all in this letter but would ask that the state take control of the mitigation funds or a portion of them for impacted commercial fishermen that are not in the click, as the cable committee fishermen are fraudulent. And provide better monitoring and a way to mitigate what the committee refuses to. They are treating the mitigation like a school of fish, less boats = more fish per boat. in case the state is unaware, fishing takes place in groups, talking on secret radios so as not to share the school of mitigation i mean fish, less boats=more fish per boat. you can not trust the fishermen to mitigate the impacts to their competition? we all compete for a resource.

There are fishwives getting info and mitigation funds, that I an actual fishermen am not being informed about, yet the same person that runs the fish wives club recently managed to mail me a request for money from another outfit she works for, but nothing on mitigation they have been allowed to distribute. it just gets stinkier scott. I think the state should restart the permit process for failure to notice interested parties? they will say they noticed it through the paper, I would point out that they did not put a notice up on their web sight, In their window at the office, or do a mailer. I will get you a copy of a letter I have written that outlines most of the misconduct.

As for evidence I have a bunch. The main thing is that you are aware that the agreement between cable companies and fishermen has never been enforced fairly, only selectively when it bennifits certain people. and in fact there is discrimination taking place, at the committee level and at the fishermen's organizations, as well as the city of morro bay as I asked them to do the right thing, since it all started at the harbor office, and they did not, (city manager, city council, harbor director).

When you try to get an attorney regarding this mess it could devastate your finances as they (cable companys) have really fat legal resources and most attorneys are not interested. Further they hid enough information that it makes it hard to explain.

I was forced to waste a whole lot of time and thousands of dollars, the last 7 years trying to retain an attorney.

Does the f&g have all year to get their input to you? As I wish to share my experience with them and ask them as I am you to protect my rights provided me by my ca. comercial fishing liscenses and permits. when they issue me a seasons they do not say anything about cable boats displacing me from making my living. So I thought they should be aware that the agreement was bogus and unenforced.

Let me know what you think I should do, and provide as proof I have boxes of it! unpaid claims, changed process, secret meetings, special rules to preclude some fishermen, major job discrimination, witnesses to their thugary (phisical threats), proof of preferential treatment, Hidden documents I uncovered, unnoticed meetings. there is so much in that box I can not describe it all here!

3-1

RESPONSE TO COMMENT SET 3

- 3-1** Comment 3-1 is addressed in Section 4.4.4 Commercial and Recreational Fishing, Impact Analysis and Mitigation on page 4.4-9 of the Draft EIR.